

**NO
DOCUMENTS
WITH THIS
TARGET**

IN RE: PETITION FOR ZONING VARIANCE
SE/S Mt. Wilson Lane, 320' W
of the c/l of Reisterstown Road
(15 Mt. Wilson Lane)
3rd Election District
3rd Councilmanic District
Emmett H. Brooks, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-460-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request side yard and rear yard setbacks of 4 feet each in lieu of the required 30 feet for a proposed storage building, and an amendment to the previously approved site plan in Case No. 88-183-A, all as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Emmett H. Brooks, appeared, testified and was represented by Norman Polovoy, Esquire. Also appearing on behalf of the Petition was Robert H. Brooks, Petitioner's son, William Colburn, Senior Attorney with Baltimore Gas and Electric Company (BG & E), and Chuck Lacey, Project Engineer for BG & E. There were no Protestants.

Testimony indicated that the subject property, known as 15 Mt. Wilson Lane, consists of 1.19 acres zoned B.R. and is improved with three storage buildings and a garage. Petitioner testified he has operated his electrical contractors business from the subject property for the past 36 years. Petitioner is desirous of replacing an existing 544 square foot storage building with a 1,620 square foot cold storage building. However, due to the location of existing improvements and the repurchase of a portion of the property by BG & E for the location of a substation, Petitioners are requesting an amendment to the previously approved site plan in Case No. 88-183-A and the right to construct the new storage building which necessitates the requested variances. Testimony indicated that the relief

requested will not result in any detriment to the health, safety or general welfare of the surrounding uses. Petitioner testified that the adjoining property and residences are owned by Petitioner and his family. Testimony presented by Messrs. Colburn and Lacey on behalf of BG & E indicated that they have no objections to the relief requested and are of the opinion that the granting of the variances will not be detrimental to existing and proposed uses. To further support their position, Petitioner introduced as Petitioner's Exhibit 2 a letter dated April 26, 1990 from Jerome H. Kadden, Associate Director of the Ner Israel Rabbinical College, a neighbor of the subject site, in support of Petitioner's request.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of June, 1990 that the Petition for Zoning Variance to permit side yard and rear yard setbacks of 4 feet each in lieu of the required 30 feet for a proposed storage building in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Prior to the issuance of any permits, Petitioners shall submit a landscaping plan for approval by the Deputy Director of Planning. Said plan shall at a minimum provide at least a 10-foot wide buffer along Mt. Wilson Lane. A copy of the approved plan shall be submitted to this office for inclusion in the case file.
- 3) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 5, 1990



Dennis F. Rasmussen
County Executive

Norman Polovoy, Esquire
34 Market Place, Suite 801
Baltimore, Maryland 21202

RE: PETITION FOR ZONING VARIANCE
SE/S Mt. Wilson Lane, 320' W of the c/l of Reisterstown Road
(15 Mt. Wilson Lane)
3rd Election District - 3rd Councilmanic District
Emmett H. Brooks, Jr., et ux - Petitioners
Case No. 90-460-A

Dear Mr. Polovoy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs
cc: People's Counsel
File

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 8, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on May 3, 1990

THE JEFFERSONIAN,

S. Zeke Orlov
Publisher

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 1:00 p.m. on May 30, 1990 at 9:30 a.m.
Petition for Zoning Variance
Case number: 90-460-A
SE/S Mt. Wilson Lane, 320' W of c/l of Reisterstown Road
15 Mt. Wilson Lane
3rd Election District
3rd Councilmanic District
Emmett H. Brooks, et ux
Hearing Date: Wednesday, May 30, 1990 at 9:30 a.m.
Variances: To allow side and rear setbacks of 4 ft. in lieu of the required 30 feet, inclusive of an amendment to the approved plan in zoning case 88-183-A.
In the event that this Petition is granted, a building permit may be issued within the 60-day period of the approved plan. The Zoning Commission will, however, annul any request for a stay of the 60-day period of the approved plan in the event of a stay of the 60-day period of the approved plan. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County
May 5, 1990

CERTIFICATE OF PUBLICATION

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Petition for Zoning Variance
Case number: 90-460-A
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15 Mt. Wilson Lane
3rd Election District
3rd Councilmanic District
Emmett H. Brooks, et ux
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In the event that this Petition is granted, a building permit may be issued within the 60-day period of the approved plan. The Zoning Commission will, however, annul any request for a stay of the 60-day period of the approved plan. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner
Baltimore County
May 2, 1990

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 228.2.B.C.Z.R. to allow side and rear setbacks of 4 ft. in lieu of the required 30' INCLUSIVE OF AN AMENDMENT TO THE APPROVED PLAN IN ZONING CASE 88-183-A

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) Strict compliance with the set back provision set forth in the Business Roadside (B.R.) creates an unreasonable hardship and practical difficulty on the applicant by preventing construction of a storage building and needed parking spaces. This then from constructing a storage building and needed parking spaces. This request is most needed in order for the Family Owned Business to continue to operate as it has for the past 36 years, due to Baltimore Gas and Electric installing a sub-station in the existing storage and parking area.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.: 685-2190

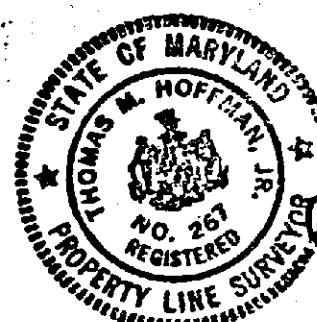
Legal Owner(s):
Emmett H. Brooks
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Emmett H. Brooks
15 Mt. Wilson Lane Pikesville, Md. 21208
486-3549
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 18 day of June, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106 County Office Building in Towson, Baltimore County, on the 30th day of May, 1990, at 9:30 o'clock A.M.

J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

ZONING DESCRIPTION FOR 90-460-A N2 15 MT. WILSON LANE BALTIMORE COUNTY, MARYLAND

BEGINNING on the southeast side of Mt. Wilson Lane, 33 feet wide, at a distance of 320 feet ± from the centerline of Reisterstown Road, thence binding on said Lane
1) South 77°29' West 260.0 feet, thence
2) South 33°41' East 222.53 feet, thence
3) North 57°33' East 90.00 feet, thence
4) South 35°30' East 209.93 feet, thence
5) North 47°15' East 15.09 feet, thence
6) North 12°31' West 362.50 feet to the place of beginning.



Shirley M. Brooks

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd
Date of Posting: May 4, 1990
Posted for: Variance
Petitioner: Emmett H. Brooks, et ux
Location of property: SE/S Mt. Wilson Lane, 320' W of c/l of Reisterstown Road, 15 Mt. Wilson Lane, 3rd Election District, Baltimore County, Md.
Remarks: Property
Posted by: S. J. Grate
Number of Signs: 1

ORDER RECEIVED FOR FILING
Date: 4/28/90
By: 1/5/90

ORDER RECEIVED FOR FILING
Date: 4/28/90
By: 1/5/90

AMN:bjs

- 3 -

- 2 -

ORDER RECEIVED FOR FILING
Date: 4/28/90
By: 1/5/90

J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

CERTIFICATE OF PUBLICATION

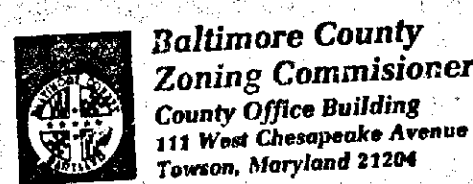
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, on May 3, 1990 at 9:30 a.m. The hearing will be held at the above address on the date and at the time specified above. The hearing will be held at the above address on the date and at the time specified above. The hearing will be held at the above address on the date and at the time specified above.

TOWSON, MD, May 3, 1990
THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md, once in each of successive weeks, the first publication appearing on May 3, 1990.

OWINGS MILLS TIMES,

S. Zeke Olson
Publisher

PG 104510



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number 2620

90-460

M7000361

Date 5/30/90
PUBLIC HEARING FEES QTY PRICE
080 -POSTING SIGNS / ADVERTISING 1 A \$105.46
TOTAL \$105.46
LAST NAME OF OWNER: BROOKS

B 8 020*****1054618 2308F
Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 15, 1990

Norman Polovoy, Esquire
34 Market Place, Suite 325-34
Baltimore, MD 21202

RE: Item No. 324, Case No. 90-460-A
Petitioner: Emmett H. Brooks, et ux
Petition for Zoning Variance

Dear Mr. Polovoy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If smaller comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINTARESKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Emmett H. Brooks
15 Mt. Wilson Lane
Pikesville, MD 21208

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 5/14/90



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Emmett H. Brooks
15 Mt. Wilson Lane
Pikesville, Maryland 21208

Re: Petition for Zoning Variance
CASE NUMBER: 90-460-A
SE/S Mt. Wilson Lane, 320' W of c/l of Reisterstown Road
15 Mt. Wilson Lane
3rd Election District - 3rd Councilmanic
Petitioner(s): Emmett H. Brooks, et ux
HEARING: WEDNESDAY, MAY 30, 1990 at 9:30 a.m.

Dear Petitioner(s):

Please be advised that \$105.46 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

JRHigs

cc: Norman Polovoy, Esq.

Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

March 12, 1990

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Prior on this property.

Petitions for Special Exception and Zoning Variance
CASE NUMBER: 90-421-XA
S/S Mt. Wilson Lane, 200' NE of Pikesville Road
(15 Mt. Wilson Lane)
3rd Election District - 3rd Councilmanic
Legal Owner(s): Emmett H. Brooks, Jr., et ux
Contract Purchaser(s): Baltimore Gas & Electric Company
HEARING: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.

Special Exception: For the construction of an outdoor electric public utility service center. Variance: To permit a rear setback of 10 ft. for an outdoor public utility service center (substation) instead of the required 30 ft.; and to permit a front yard setback of 50 ft. for a public utility service center (substation) instead of the required 82 ft.; and to relocate the parking spaces; and to amend the site plan as required in variance case #88-183-A.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

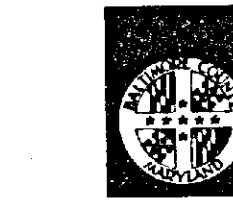
J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Brooks,
William E. Colburn, Esq./Baltimore Gas & Electric Company
John B. Howard, Esq.
File

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 6, 1990



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number #324, 329, 330, 331, 334, 335, 336, 337, 339, 340, 341, and 342.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSP/lvw

RECEIVED
APR 16 1990
ZONING OFFICE

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman
Zoning Plans Advisory Committee

Petitioner: Emmett H. Brooks, et al

Petitioner's Attorney: Norman Polovoy

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

April 13, 1990

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance
CASE NUMBER: 90-460-A
SE/S Mt. Wilson Lane, 320' W of c/l of Reisterstown Road
15 Mt. Wilson Lane
3rd Election District - 3rd Councilmanic
Petitioner(s): Emmett H. Brooks, et ux
HEARING: WEDNESDAY, MAY 30, 1990 at 9:30 a.m.

Variances: To allow side and rear setbacks of 4 ft. in lieu of the required 30 feet, inclusive of an amendment to the approved plan in zoning case #88-183-A.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

BALTIMORE COUNTY

cc: Petitioners
Norman Polovoy, Esq.

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

4-6-90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item #324, Zoning Advisory Committee Meeting of April 17, 1990

Property Owner: Emmett H. Brooks, et ux

Location: SE/S Mt. Wilson Lane, 320' W of c/l of Reisterstown Road District: 3

Water Supply: metro Sewage Disposal: metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which discharges into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal burner generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpool, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety: two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____, must be _____, conducted.
() The results are valid until _____
() Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____
() is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others _____

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-6500
Paul H. Reincke
Chief

APRIL 6, 1990



J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: EMMETT H. BROOKS
Location: #15 MT. WILSON LANE
Item No.: 324 Zoning Agenda: APRIL 17, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Noted and Approved*
Planning Group
Special Inspection Division
Fire Prevention Bureau

JK/REK

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Norman P. Loney Esq	Suite 801, 34 N. Airport Rd
Emmett H. Brooks	Petitioner 15 MT. WILSON LANE
ROBERT H. BROOKS	8832 PIKEVILLE ROAD
Bruce Casanova SR. AM	Baltimore Gas & Electric
CHUCK LACEY Esq	BALTO Gas & Elec

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: April 24, 1990
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Emmett H. Brooks, Item 324

The Petitioner requests a Variance to allow side and rear setbacks of 4 ft. in lieu of the required 30 ft.

In reference to this request, staff offers the following condition should the petitioner's request be granted:

- The Petitioner shall agree to plant the area as indicated on the attached overlay. The buffer along Mt. Wilson Lane shall be at least 10 ft. wide. Prior to the issuance of any building permits, the Petitioner should meet with the Baltimore County landscape planner to discuss the treatment of the area shown on the overlay.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

APR 27 1990



Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
April 26, 1990

Ms Ann M. Nastarowicz
Deputy Zoning Commissioner for Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204

Re: Petition for Zoning Variance
625 Pikeville Road, 270' SE of the c/o of Mt. Wilson Road
(6825 Pikeville Road)
3rd Election District - 3rd Councilmanic District
Robert H. Brooks - Petitioner
Case No. 90-168-A

Dear Ms Nastarowicz:

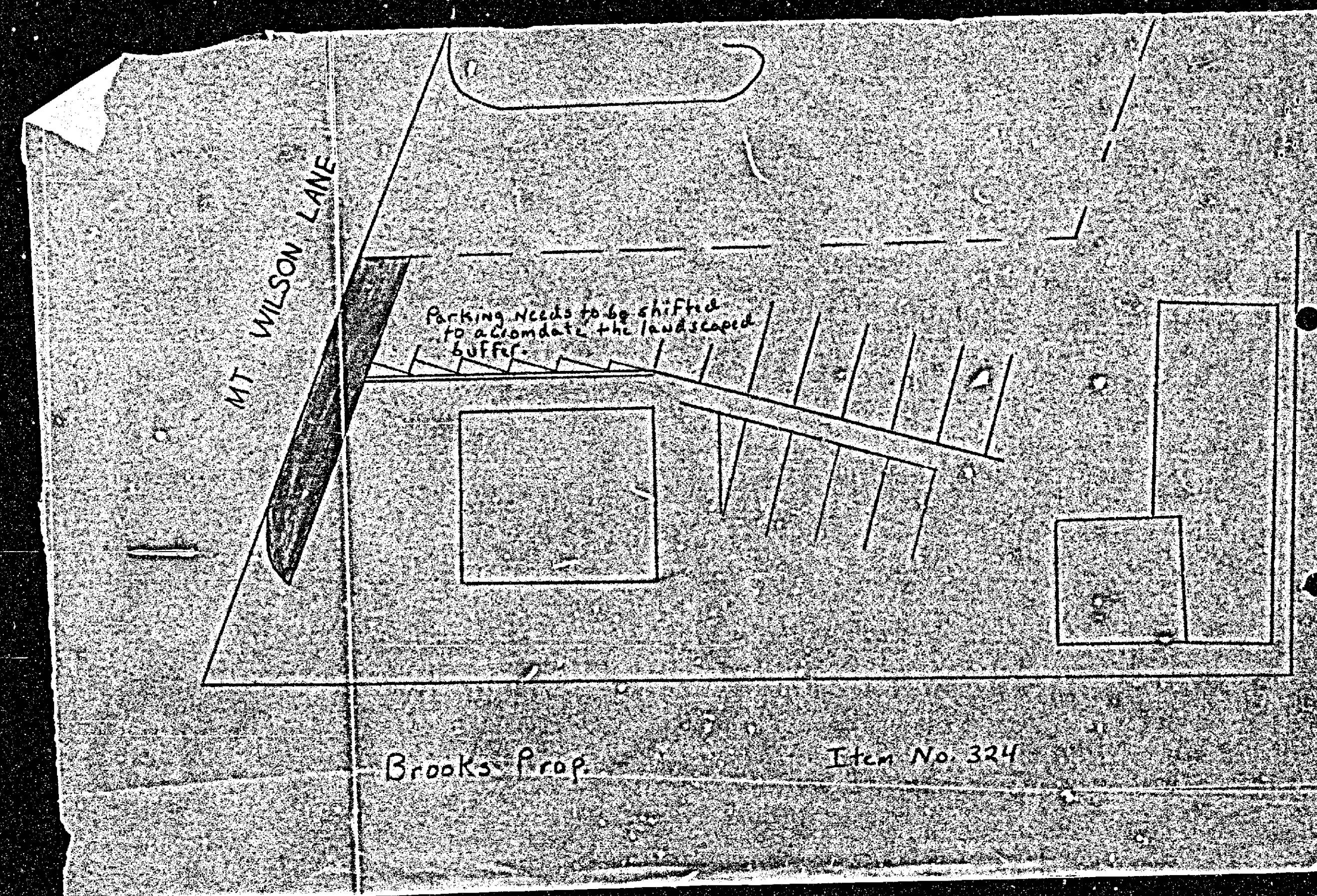
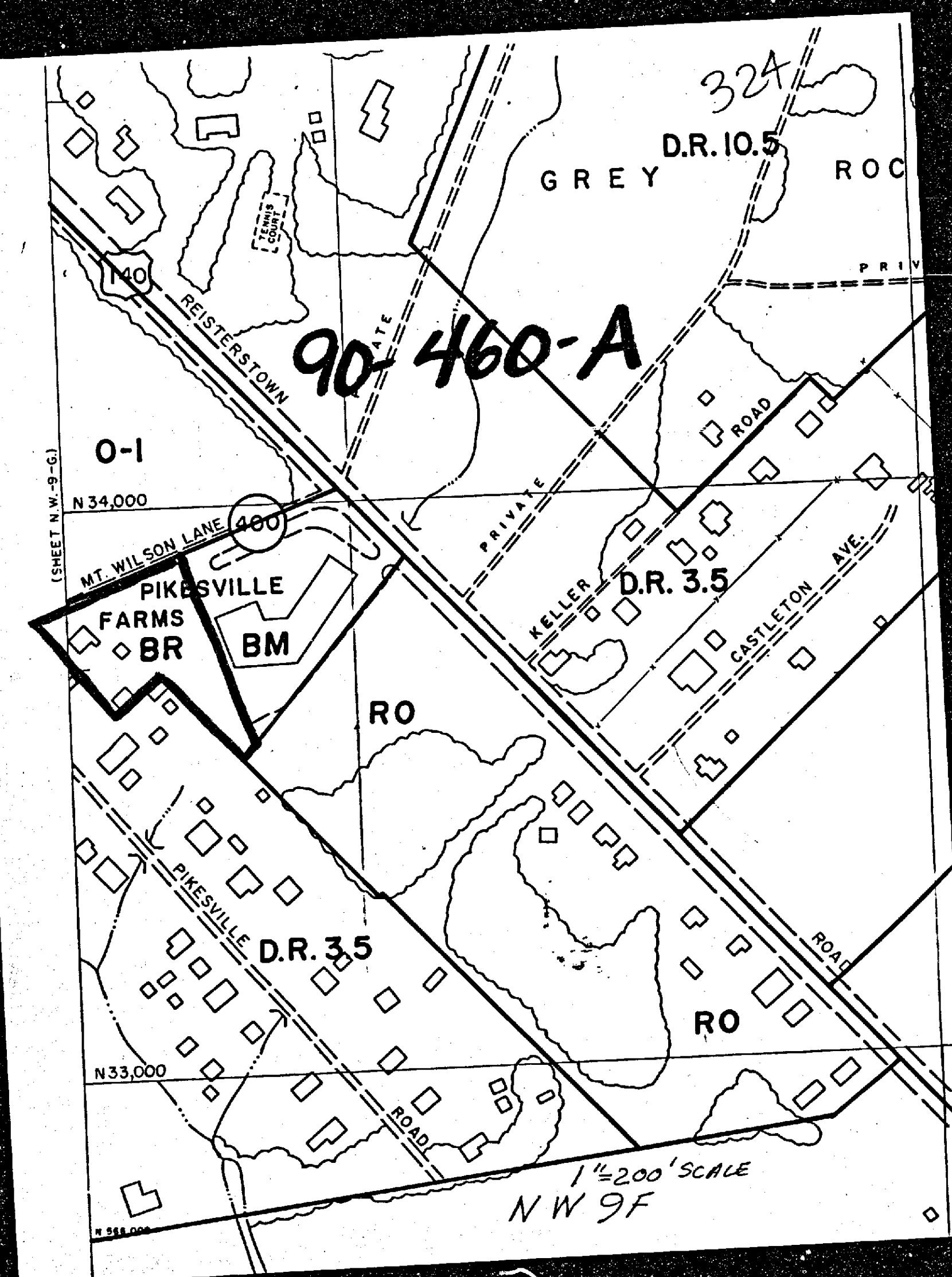
Ner Israel Rabbinical College is located on 75 acres on Mt. Wilson Lane. We have a student body of 550 most of whom are resident students. In addition, our faculty and staff live on the campus as well.

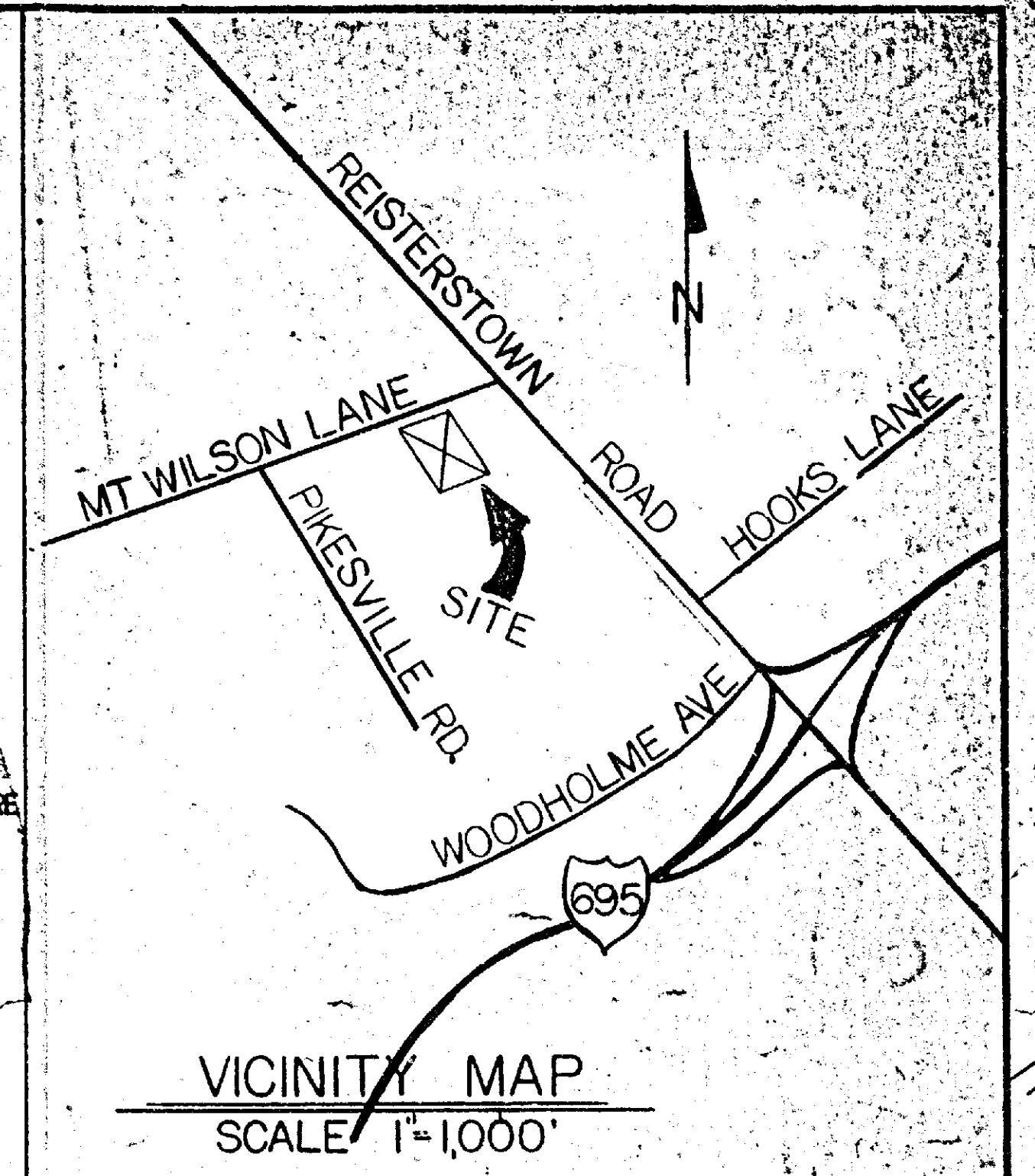
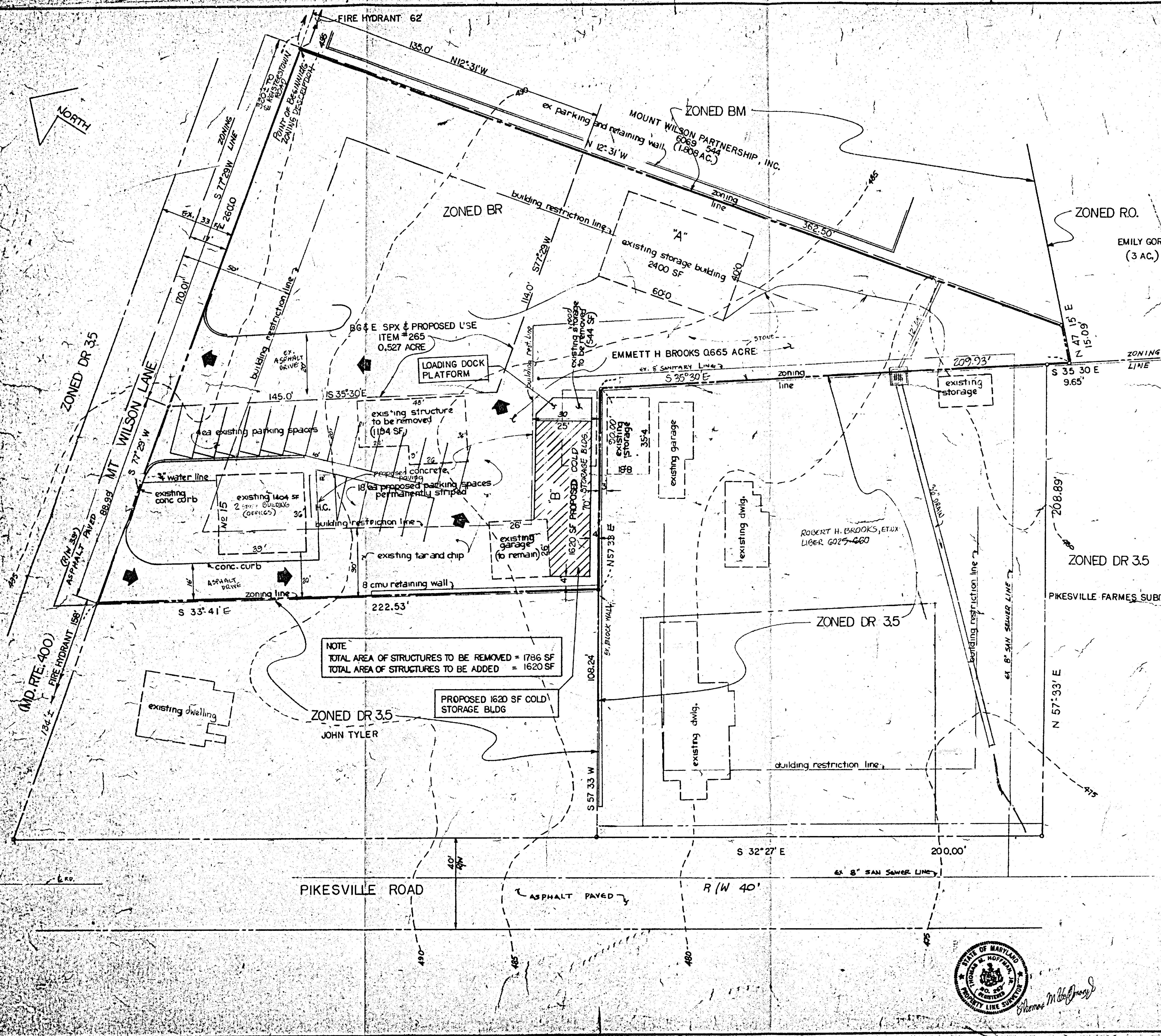
Mr. Emmett H. Brooks has an electrical contracting business at 15 Mt. Wilson Lane for many years. They maintain the business in a responsible fashion and have been good neighbors. The fact that Mr. Brooks as well as his children are homeowners on Mt. Wilson Lane and immediately adjacent to Mt. Wilson Lane seems that they have a vested interest in the welfare and well-being of the neighborhood as we do.

We feel that the above-mentioned petition for zoning variance is a reasonable request to allow the Brooks family to continue their business. We would support their petition and hope that the commission will see its way clear to grant said variance.

Very truly yours,
Jerome H. Kadden
Associate Director

PETITIONER'S
EXHIBIT 2





floor area ratio calculation

total site area 1.9 acres	=	56,553 sf
1/2 of mt. wilson lane	=	4,290 sf
gross floor area - 6100 sf	=	60,843 sf
		1.0

- NOTES
- OWNER: EMMETT H. BROOKS & WIFE
ADDRESS: 15 MT. WILSON LANE
BALTIMORE, MARYLAND 21208
 - DEED REFERENCE: 6288-491
 - ACCOUNT NUMBERS: 03-02-003442, 03-23-001028
 - EXISTING ZONING: BR
 - APPLICANT: EMMETT H. BROOKS & WIFE
15 MT. WILSON LANE
BALTIMORE, MARYLAND 21208
 - ENGINEER: HOFFMAN and HOFFMAN
SURVEYORS & LAND PLANNERS
5002 STONINGTON AVENUE - BALTIMORE, MARYLAND 21208
304-448-0181
 - ELECTION: DISTRICT 3
 - COUNCILMANIC DISTRICT: 3
 - SITE ACREAGE: 1.19 ACRES
 - COMMON OPEN SPACE: DENSITY CALCULATIONS
REQUIRED: NONE
 - OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13
 - PROPOSED HEIGHT OF BUILDING: 12'
 - LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS
 - PREVIOUS COMMERCIAL PERMIT: NO. 95106, CONTROL NO. C2386-87
DATED DEC. 1987
 - PREVIOUS ZONING VARIANCE: CASE NO. 88-183-A
"A" TO PERMIT A REAR YARD SETBACK OF
5' IN LIEU OF THE REQUIRED 30' SETBACK
 - PROPOSED ZONING VARIANCE: TO ALLOW A COLD STORAGE
BLDG. OF APPROXIMATELY 1620 SF. WITH A
REAR SETBACK OF 4' INSTEAD OF THE REQUIRED 30'
(AS INDICATED ON PLAN) IS TO CONTINUE.
 - ALL EXISTING BUILDINGS ARE TO REMAIN, AND PRESENT USE
(AS INDICATED ON PLAN) IS TO CONTINUE.
 - NO I.D. SIGNS ARE EXISTING OR PROPOSED ON PROPERTY.
 - NO RETAIL SALES ARE CURRENTLY, OR PROPOSED TO BE
CONDUCTED FROM THIS PROPERTY.
 - PROPOSED BLDG. TO BE USED FOR STORAGE OF ELECTRICAL
EQUIPMENT.
 - PARKING - 2808 sf. office = 2.81 X 3.3 = 10 SPACES
1000 sf.
8 YARD EMPLOYEES = 8 SPACES
18 PARKING SPACES REQD / 13 SPACES PROVIDED

SITE PLAN - NO. 15 MT. WILSON LANE PROJECT
PROPOSED BLDG. DEMO AND ADDITION
USE: ELECTRICAL & PLUMBING SHOP
DRAWING NO. C-1

ALGER ELECTRIC INC.
electrical • mechanical • sprinkler • petroleum equip.
15 Mt. Wilson Lane, Baltimore, MD 21208 • 410-488-5646

REVISIONS

SCALE: 1" = 20' DRAWN BY: DATE: 11/25/94 APP. BY: DRAWING NO. C-1

PETITIONER'S EXHIBIT 2